

**From:** Native American Law360 [news@law360.com]  
**Sent:** 8/6/2020 8:21:13 AM  
**To:** Byrne, Andrew [Byrne.Andrew@epa.gov]  
**Subject:** [SPAM] EPA To Pay Utah \$360M Over Gold King Mine Spill



Thursday, August 6, 2020



## TOP NEWS

### EPA To Pay Utah \$360M Over Gold King Mine Spill

The U.S. Environmental Protection Agency has committed to spending more than \$360 million to settle a dispute with Utah over an incident five years ago when millions of gallons of toxic waste was accidentally released into state rivers by a government contractor.

[Read full article »](#)

### DC Circ. Halts Order To Shut Down Dakota Access Pipeline

The D.C. Circuit on Wednesday said the Dakota Access pipeline will not have to be shut down and drained of oil, halting a federal judge's order issued after he identified problems with an environmental review.

[Order attached](#) | [Read full article »](#)

### 10th Circ. Nixes Trade Group's Obama Royalty Rule Challenge

The American Petroleum Institute can't challenge an Obama-era rule governing civil penalty notices for oil and gas leases on federal and tribal land based on hypothetical injuries the group's members might incur, the Tenth Circuit ruled Wednesday.

[Opinion attached](#) | [Read full article »](#)

### 6th Circ. Told McGirt Ruling Backs Mich. Tribe's Reservation

The Little Traverse Bay Bands of Odawa Indians has pressed the Sixth Circuit to overturn a ruling that the tribe never had a reservation, saying the U.S. Supreme Court's recent ruling in McGirt supports the Michigan tribe's contention that its reservation was established under a 19th-century treaty.

[Brief attached](#) | [Read full article »](#)

## POLICY & REGULATION

### AT&T Calls For Modernization Of FCC's Lifeline Program

AT&T on Tuesday said the Federal Communications Commission's low-income subsidy program for phone and broadband service needs to be updated, stating in a blog post that lawmakers should consider streamlining



#### LAW FIRMS

Ahmad Zavitsanos  
Allen & Overy  
Appleby Global  
Baker Donelson  
BakerHostetler  
Beveridge & Diamond  
Big Fire Law & Policy Group  
Black Srebnick  
Boies Schiller  
Burns & Levinson  
Carrington Coleman  
Chamberlain Hrdlicka  
Clifford Chance  
Cole Schotz  
Constantine Cannon  
Crowley Fleck  
DLA Piper

Lifeline's eligibility requirements and modernizing delivery as part of efforts to expand the benefit program.

[Read full article »](#)

## Calif. Gov. Signs Six Tribal Compacts, Approves Casino Move

California Gov. Gavin Newsom on Tuesday announced that he had signed new tribal gambling compacts with six tribes and approved the placement of 40 acres into trust for a central California tribe seeking to relocate its casino.

 [7 documents attached](#) | [Read full article »](#)

## LITIGATION

### Developer Steps Into Tribes' Keystone Pipeline Challenge

The TransCanada Keystone Pipeline and its parent corporation have urged a Montana federal court to dismiss claims brought by Montana tribes, after successfully intervening in their case challenging federal approval of pipeline construction across federal lands.

 [3 documents attached](#) | [Read full article »](#)

### Enviros Say Alaskan Mining Road Was Wrongly Approved

Environmental organizations asked an Alaska federal court to vacate environmental permits for a mining road in the state's southern Brooks Range and national park areas, saying government agencies wrongly allowed the 211-mile road project to move forward.

 [Complaint attached](#) | [Read full article »](#)

## EXPERT ANALYSIS

### Climate Change Litigation Looms Over Trump Enviro Overhaul

Updated regulations from the White House Council on Environmental Quality likely preclude government agencies from considering climate change in most National Environmental Policy Act analyses, making litigation over the revisions all but certain, say attorneys at King & Spalding.

 [1 document attached](#) | [Read full article »](#)

#### Opinion

### ABA's New Guidance On Litigation Funding Misses The Mark

The American Bar Association should revise its recently approved best practices on third-party litigation funding as they do not reflect how legal finance actually works and could create confusion among lawyers, says Andrew Cohen at Burford Capital.

[Read full article »](#)

## LEGAL INDUSTRY

### Law360 Names Attys Who Moved Up The Firm Ranks In Q2

A promotion to partner or election to practice group chair means lots of well-deserved recognition within a firm and in the larger legal community. Law360 reveals the list of attorneys whose commitment to excellence earned them highly coveted spots in the law firm leadership ranks. Find out if your old legal friends — or rivals — moved up in the second quarter of the year.

Duane Morris  
Earthjustice  
Elk River Law Office  
Ellenoff Grossman  
Epstein Becker Green  
Ferraro Law Firm  
Fortis Law Partners  
Fowler White Burnett  
Fox Rothschild  
Freshfields  
Friedman Kaplan  
Frost Brown Todd  
Gibson Dunn  
Gordon & Rees  
Goulston & Storrs  
Haynes & Boone  
Hinshaw & Culbertson  
Hobbs Straus  
Holland & Knight  
Hunton Andrews Kurth  
Jackson Lewis  
Jenner & Block  
K&L Gates  
Kanji & Katzen  
Kaplan Kirsch  
Kasowitz Benson  
Kelley Drye  
Kelley Kronenberg  
Kennedys Law LLP  
King & Spalding  
Kurzban Kurzban  
Lewis Brisbois  
Lief Cabraser  
Linklaters  
McCollom D'Emilio  
McDermott Will  
Montgomery McCracken  
Morgan & Morgan  
Munsch Hardt  
Norton Rose  
Pachulski Stang  
Paul Weiss  
Plunkett Cooney  
Porter Wright  
Reed Smith  
Robins Kaplan  
Rosenberg & Estis

[Read full article »](#)

### **Trump Hires Impeachment Atty Away From Kasowitz Benson**

One of the attorneys who defended President Donald Trump during his impeachment trial announced in a court filing that he's left his post as a partner at Kasowitz Benson Torres LLP to serve as a senior adviser to the president.

[Read full article »](#)

### **Ex-Cooley, OECD Attys Charged In UK Corruption Plot**

A former Cooley attorney and his wife, an international anti-corruption expert, have been charged in connection with an alleged five-year corruption plot following an investigation by the Metropolitan Police's economic crime unit.

[Read full article »](#)

### **Ex-Reed Smith Atty Says Firm Canned Him After Concussion**

A former Reed Smith lawyer sued the BigLaw firm and two of its partners Wednesday in Manhattan federal court for unlawful termination and retaliation, claiming he was driven out after suffering from a debilitating concussion.

[Read full article »](#)

### **NY Courts Consider Bigger Jury Pools, Livestreams For Trials**

As New York courts begin to resume trials during the coronavirus pandemic, a state commission issued a report Wednesday recommending that courts utilize bigger jury pools, check visitors' temperatures and consider livestreaming proceedings for spectators.

[Read full article »](#)

### **Philly Bar Association Endorses Limited Diploma Privilege**

In a split with statewide bar leaders, the Philadelphia Bar Association on Wednesday threw its support behind a limited plan to allow this year's crop of law school graduates to temporarily begin practicing law without taking the bar exam, as a result of the ongoing threat of the coronavirus pandemic.

[Read full article »](#)

### **Morgan & Morgan Expands To SF With Ex-Robins Kaplan Pair**

Morgan & Morgan has become the latest law firm to launch an outpost in San Francisco this year, hiring two class action attorneys from Robins Kaplan LLP to lead the office, the plaintiffs firm announced Wednesday.

[Read full article »](#)

### **Netflix, 'Big Short' Director To Make Walmart v. Dukes Series**

Netflix announced Tuesday that it's partnering with the director of "The Big Short" to produce a new limited series titled "Kings of America" inspired by three women who pursued a landmark employment discrimination class action against Walmart that landed before the U.S. Supreme Court in 2011.

[Read full article »](#)

### **Rite Aid Names Former Epstein Becker, LifePoint Atty As GC**

Rite Aid Corp. has appointed as its new top lawyer a former Epstein Becker Green attorney who earlier this year joined the retail pharmacy's legal department as interim general counsel, the company said Wednesday.

Sauer & Wagner  
Schwartz Semerdjian  
Sidley Austin  
Simpson Thacher  
Skadden  
Slack Davis  
Snell & Wilmer  
Sullivan & Cromwell  
Tyson & Mendes  
Van Ness Feldman  
Venable LLP  
Waller Lansden  
White & Case  
White and Williams  
Wigdor LLP  
Williams & Connolly  
Winston & Strawn  
Wood Smith

### **COMPANIES**

Organisation for Economic Co-  
operation and Development  
American Bar Association  
American Petroleum Institute Inc.  
Burford Capital LLC  
Center for Biological Diversity  
Gannett Co. Inc.  
Golden Gate University  
International Council for  
Commercial Arbitration  
LifePoint Health Inc.  
Netflix Inc.  
New York City Bar Association  
Pennsylvania Bar Association  
Red Hawk Casino  
Rite Aid Corp.  
Sam's Club  
San Francisco Bar Association  
Sierra Club  
Southern Union Co.  
Tesla Inc.  
The European Bank for  
Reconstruction & Development  
The Florida Bar  
The New York Times Co.  
TransCanada Corporation  
Wal-Mart Stores Inc.

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## SEC Enforcement Co-Chief Peikin To Leave Agency Next Week

Steven Peikin, co-chief of the U.S. Securities and Exchange Commission's enforcement division, will depart the agency on Aug. 14, he confirmed Wednesday.

[Read full article »](#)

## Law Firm Leaders: Kelley Kronenberg's Michael Fichtel

Michael J. Fichtel arrived at Kelley Kronenberg right after gaining admission to the Florida Bar in 1987. What was then a boutique firm focused on workers' compensation defense has grown in size and breadth since then, including in the last decade under his leadership as CEO.

[Read full article »](#)

## JOBS

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## GOVERNMENT AGENCIES

Bureau of Land Management  
California Supreme Court  
Cheyenne River Sioux Tribe  
Council on Environmental Quality  
Federal Communications Commission  
Federal Election Commission  
Fort Peck Assiniboine and Sioux Tribes  
Government Accountability Office  
Ione Band of Miwok Indians  
Michigan Attorney General's Office  
Mooretown Rancheria of Maidu Indians  
National Park Service  
Navajo Nation  
New York Attorney General's Office  
Office of Natural Resources Revenue  
Oglala Sioux Tribe  
Paskenta Band of Nomlaki Indians  
Shingle Springs Band of Miwok Indians  
Small Business Administration  
Standing Rock Sioux Tribe  
U.S. Army  
U.S. Army Corps of Engineers  
U.S. Coast Guard  
U.S. Court of Appeals for the District of Columbia Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. Court of Appeals for the Tenth Circuit  
U.S. Department of Justice  
U.S. Department of the Interior  
U.S. District Court for the District of Alaska  
U.S. District Court for the District of New Mexico  
U.S. District Court for the Southern District of New York  
U.S. Environmental Protection Agency  
U.S. Securities and Exchange Commission  
U.S. Senate

U.S. Supreme Court  
United Nations  
United States District Court for the  
District of Montana  
Utah Attorney General's Office

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